IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 1138 of 2001
With
FIRST APPEAL No. 1140 of 2001
With
FIRST APPEAL No. 1150 of 2001
With
FIRST APPEAL No. 1152 of 2001
With
FIRST APPEAL No. 1155 of 2001

For Approval and Signature:

HONOURABLE MR.JUSTICE P.B.MAJMUDAR

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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STATE OF GUJARAT
Versus
PRABHU KARAMSIBHAI

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Appearance :
Mr ND Gohil, Assistant Government Pleader for the appellant
None for the respondents

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CORAM : HONOURABLE MR.JUSTICE P.B.MAJMUDAR

Date : 20/07/2006

COMMON **ORAL JUDGMENT:**

By preferring these appeals, the State has challenged the judgement and order passed by the learned Assistant Judge, Morvi dated 13th January, 1995, by which the learned Judge has disposed of various land references by a common judgement, being Land Reference Case Nos.224/1987 to 246/1987 and Land Reference Case No.171/1987.

Against the aforesaid common judgment, there were various first appeals filed by the State Government. This Court by the common judgment and order passed on 19th July 2006 dismissed other group of first appeals being First Appeals Nos.1135, 1136, 1137, 1139, 1141, 1149, 1151, 1153 and 1154 of 2001 which are filed against the aforesaid judgment of the learned Assistant Judge, Morvi dated 13th January, 1995 passed in Land Reference Case Nos.224/1987 to 246/1987 and Land Reference Case No.171/1987. The said appeals were dismissed on the ground of smallness of the claim. However, since the papers of these appeals were not placed on Board on 19th July 2006, they are now placed today for final hearing.

Considering the fact that the identical matters have been dismissed by this Court on 19th July 2006 on the ground of smallness of claim and in the present matters also the claim involved is for a small amount these appeals are also required to be dismissed considering the fact that the additional compensation awarded by the Reference Court is less than Rs.13,000/-. As per the judgement of the learned trial Judge, the State

was required to pay additional amount of compensation as under :

Sr.No.	Reference No.	Additional amount awarded by the Reference Court (in Rupees)
1.	224/1987	8,683.56
2.	225/87	9,676.56
3.	226/87	24,069.90
4.	228/87	15,525.00
5.	230/87	3,643.00
6.	231/87	9,853.20
7.	232/87	5,313.00
8.	233/87	4,197.60
9.	234/87	3,932.75
10.	235/87	8,326.91
11.	236/87	5,297.92
12.	237/87	9,952.56
13.	238/87	9,215.64
14.	240/87	14,628.00
15.	242/87	9,232.20
16.	243/87	6,061.02

Mr ND Gohil, learned Assistant Government Pleader fairly conceded that the facts, issue and circumstances involved in these appeals are same as that of the other group of first appeals being First Appeals Nos.1135, 1136, 1137, 1139, 1141, 1149, 1151, 1153 and 1154 of 2001 which are disposed of by this Court on 19th July 2006 vide a separate judgment.

These appeals are therefore dismissed.

Office is directed to keep a copy of the order passed by this Court in other group of first appeals being First Appeals Nos.1135, 1136,

1137, 1139, 1141, 1149, 1151, 1153 and 1154 of 2001 on the record of these first appeals.

(P.B.Majmudar, J.)

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